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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

2:09-CV-626 JCM (PAL)

7 ALLIED PROPERTY AND
8 CASUALTY INSURANCE
9 COMPANY, a foreign corporation,
individually and as subrogee for its
insured Joseph M. Holohan,

10 Plaintiff,

11 v.

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13 BEAZER HOMES HOLDINGS CORP.,
14 et al.,

15 Defendants.

16 **ORDER**

17 Presently before the court is defendant Beazer Homes Holdings Corporation's ("Beazer")
18 motion for leave to file a reply in support of its motion in limine. (Doc. #122).

19 This case arises from a fire which occurred on March 5, 2007. Plaintiff Allied Property and
20 Casualty Insurance Company ("Allied") alleges that the fire was caused by a defective garage door
21 opener and that the garage door opener was improperly attached to the home.

22 Beazer filed a motion in limine on May 19, 2012. (Doc. #115). This motion asks the court
23 to prevent Allied from presenting its second theory of causation – that the garage door opener was
24 improperly attached to the home. Allied filed an opposition on June 5, 2012. (Doc. #118).

25 Beazer now moves for leave to file a reply to the opposition to the motion in limine. (Doc.
26 #122). Beazer asserts that Allied's opposition contains misstatements or mischaracterizations
27 regarding (1) the degree of agreement between experts, (2) the existence and configuration of bracing
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1 of the garage door opener, (3) the occurrence of any failure, chaffing, or degradation of the power
2 cord, (4) the occurrence of thermal cycling, and (5) the occurrence of any vibrations of the garage
3 door opener or the power cord. (Doc. #112). Thus, Beazer asks leave of the court to reply to these
4 alleged misstatements.

5 Pursuant to Local Rule 16-3, “[M]otions in limine are due thirty (30) days prior to trial.
6 Oppositions shall be filed and served and the motion submitted for decision fourteen (14) days
7 thereafter. Replies will be allowed only with leave of the court.”

8 Good cause appearing,

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Beazer Homes
10 Holdings Corporation’s motion for leave to file a reply in support of its motion in limine (doc. #122)
11 be, and the same hereby is, GRANTED. Beazer shall file its reply with the court before the calendar
12 call scheduled for June 13, 2012.

13 DATED June 12, 2012.

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16 **UNITED STATES DISTRICT JUDGE**
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